

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1364 - SB 1166

April 2, 2019

SUMMARY OF ORIGINAL BILL: Deletes and rewrites the criminal offense of female genital mutilation. Extends the statute of limitations for criminal prosecutions or civil actions for female genital mutilation of a minor.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006799): Deletes and replaces language in the bill such that the substantive changes are to: (1) clarify that cosmetic rejuvenation and reconstruction in accordance with the standards of the American College of Obstetrics and Gynecology is an exception to the offense of female genital mutilation; (2) specify that body piercing pursuant to Tenn. Code Ann. § 62-38-3 is not female genital mutilation when performed on a consenting adult; and (3) require any medical professional who performs participates in, or facilitates a female genital mutilation procedure, not subject to an exception, to be subject to disciplinary action by the appropriate licensing board.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-13-110(a), female genital mutilation is a Class D felony.
- Based on information provided by the Department of Correction (DOC), there have been zero admissions for female genital mutilation over the last 10 years.
- The proposed legislation does not create a new felony, broaden a felony offense or increase classification. Therefore, any impact to the DOC is estimated to be not significant.
- The proposed legislation authorizes a person to be prosecuted, tried, and punished for female genital mutilation of a minor victim occurring on or after July 1, 2019, no later than 25 years after the minor turns 18.

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- Any impact to state or local government resulting from extending the statute of limitations is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj